



Attachment to Independent Case Review Report
For CDRU # 6598 Case file # 95-179249.

Material Examiner: Malone (RQ)

Remarks:

Case resulted in a trial, testimony transcript provided.

CEM 598

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Steve Robertson

Area(s) of Expertise: Hair and Fiber

Review commenced at: 2:15 PM (Time), 02/24/03 (Date)

File #: 95-179249

Laboratory #(s): 40723051

Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>RQ</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: Michael Malone

Testimony Date(s): Aug. 28, 1984 Pages: 35-125

Laboratory Report(s):

Laboratory Number: 40723051 Date: Aug. 3, 1984

Laboratory Number: _____ Date: _____

Laboratory Number: _____ Date: _____

Examiner Bench Notes of: RQ

Laboratory Number: 40723051

Initials: SRM

CRM 59A

Was any other material reviewed? Yes No

If yes, please identify and/or describe the material: submitting agency letter dated July 20, 1984

Results of Review

File #: 95-179249 Item or Specimen # Reviewed: Q24, Q43, Q45, Q53, Q54, Q66,

K1, K2, K5, K7

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
 Yes No Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
 Yes No Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- Transcript not available.
- 3) Testimony consistent with the laboratory report(s)? Yes No Unable to Determine
- 4) Testimony consistent with the bench notes? Yes No Unable to Determine
- 5) Testimony within bounds of examiner's expertise? Yes No Unable to Determine

Initials: SMA



Comments

(Set forth by above question #, if applicable. Use "Additional Comments" Sheet, if needed)

File #: 95-179249

#1. It cannot be determined if the hair comparison was performed in a scientifically acceptable manner by reading the notes. There were no written protocols for hair comparison at the time of the examination.

#2. The results are not adequately documented in the notes. The notes are not dated and are in pencil instead of ink. Abbreviations are used that are hard to interpret.

#3. The bench notes document the presence of a Negroid hair on the bed sheet (Q43), but that finding is not in the laboratory report. This finding is brought out during testimony. ~~The number of hair present in each exhibit is~~ ^{See}

#4. The number of hair present in each exhibit is given in testimony but is not documented in the bench notes.

Review completed at: 4:30 PM (Time), 2/24/03 (Date)

Total time spent conducting review (to nearest 1/4 hour): 2.25 hrs.

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.

Steve Roberts
(Signature)

Feb. 24, 2003
(Date)